

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LEAH MAY DUKE, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CARRIE A. FOWLER,

Respondent-Appellant,

and

JASON ROY DUKE,

Respondent.

UNPUBLISHED

December 23, 2008

No. 285193

Muskegon Circuit Court

Family Division

LC No. 07-035688-NA

Before: Murray, P.J., and Markey and Wilder, JJ.

MEMORANDUM.

Respondent Carrie Fowler appeals by right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Respondent substantially complied with her case service plan. She completed parenting classes, visited regularly with the child and the parent mentor, completed her GED, and maintained regular contact with petitioner. Still the evidence revealed that she did not truly benefit or learn from the services. The foster care worker, the parent mentor, and the parent mentor supervisor all testified that respondent did not appear to have absorbed any of the information that she had been provided, and she was not able to implement the skills that she had been taught during her visits with her child. Respondent had participated in services since Leah's birth but still had to be told that she needed something more for a small child than a mattress on the floor in her home. And she was stressed and frustrated after only a two-hour weekly visit. It is not enough for a parent to simply complete the requirements of a case service

plan. *In re Gazella*, 264 Mich App 668, 676; 692 NW2d 708 (2005). The parent must benefit from the services and improve her parenting skills to the point that the child would no longer be at risk in the parent's custody. *Id.*

In addition, respondent demonstrated no ability to financially support her daughter and offer her a stable home. At the time of the termination hearing, respondent did not have a job and had not looked for work. She did not obtain her GED until about one week before the termination hearing. Respondent lived with Tim Strandberg and relied on him to support her; however, respondent had a pattern of moving in and out of her boyfriends' homes, and respondent and Strandberg testified they were behind on the rent.

The evidence also did not establish that termination of respondent's parental rights was clearly contrary to the child's best interests. Respondent never stated that she loved her daughter and wanted the child to live with her, and she did not show love and affection for the child. The evidence was consistent with the parent mentor's testimony that respondent acted more like a teenaged babysitter to Leah than like the child's mother.

We affirm.

/s/ Christopher M. Murray
/s/ Jane E. Markey
/s/ Kurtis T. Wilder